

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**NEW ENGLAND CARPENTERS)
HEALTH BENEFITS FUND, PERELLI)
ARMSTRONG RETIREE MEDICAL)
BENEFITS TRUST; TEAMSTERS)
HEALTH & WELFARE FUND OF)
PHILADELPHIA AND VICINITY;)
PHILADELPHIA FEDERATION OF)
TEACHERS HEALTH AND WELFARE)
FUND; DISTRICT COUNCIL 37,)
AFSCME – HEALTH & SECURITY)
PLAN; JUNE SWAN; BERNARD)
GORTER, SHELLY CAMPBELL AND)
CONSTANCE JORDAN,)**

Plaintiffs,

v.

**FIRST DATABANK, INC., a Missouri)
Corporation; and McKESSON)
CORPORATION, a Delaware corporation,)**

Defendants.

**Case No. 05-cv-11148
Hon. Patti B. Saris**

**MOTION FOR LEAVE TO WITHDRAW THE
APPEARANCE OF ATTORNEY ERIC L. YAFFE**

Interested Party National Community Pharmacists Association (“NCPA”), by and through its attorneys of record, respectfully moves for leave of Court pursuant to Local Rule 83.5.2(c) to allow the undersigned attorney, Eric L. Yaffe to withdraw his appearance as counsel on behalf of NCPA. In support of this Motion, NCPA states as follows:

1. NCPA is currently represented in this action by David Balto, of the Law Offices of David Balto and that representation will continue after the withdrawal of the undersigned.
2. The withdrawal of appearance of the undersigned Eric L. Yaffe will not prejudice NCPA.

WHEREFORE, Interested Party NCPA hereby respectfully requests leave of Court allowing Eric L. Yaffe to withdraw his appearance as counsel on behalf of NCPA, and discharging Eric L. Yaffe as counsel on behalf of NCPA, and all other relief which is just and proper.

Dated this 4th day of September, 2008

Respectfully submitted,

/s/ Eric L. Yaffe

Eric L. Yaffe

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing in (NEF) and paper copies will be sent to those indicated as non registered participants on September 4, 2008.

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/s/ Eric. L. Yaffe

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ORDER

Upon consideration of Interested Party National Community Pharmacists Association's ("NCPA") Motion to Withdrawal the Appearance of Eric L. Yaffe and Gray, Plant, Mooty, Mooty, and Bennett, P.C., and the record herein, it is by the Court, this _____ day of _____, 2008,

Ordered, that Interested Party NCPA's Motion to Withdrawal the Appearance of Eric L. Yaffe and Gray, Plant, Mooty, Mooty, and Bennett, P.C. be, and the same hereby is GRANTED.

United States District Judge